

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Leobardo GAMEZ-JAIME, a/k/a Leobardo Jaimo GAMEZ

Case No. 24-30407

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 22, 2024 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

Title 8, United States Code, Section 1326(a), (b)(1) Unlawful Re-Entry Following Removal from the United States

This criminal complaint is based on these facts:

On or about August 22, 2024, in the Eastern District of Michigan, Southern Division, Leobardo GAMEZ-JAIME, a/k/a Leobardo Jaimo GAMEZ, an alien from Mexico, who had previously been convicted of a felony offense, and was subsequently excluded, deported, and removed therefrom on or about November 3, 2020, at or near Brownsville, Texas, was found in the United States without having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a), (b)(1).

Continued on the attached sheet.



Complainant's signature

Justin D. Monday, Deportation Officer, ICE/ERO

Printed name and title



Judge's signature

Kimberly G. Altman, U.S. Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence.

September 20, 2024

Date: _____

City and state: Detroit, MI

AFFIDAVIT

I, Justin Monday, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since September of 2015. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed relevant immigration records and system automated data relating to Leobardo GAMEZ-JAIME, which reveal the following:
2. Leobardo GAMEZ-JAIME also known as Leobardo Jaimo GAMEZ is a thirty-six-year-old citizen and a native of Mexico who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security.
3. On or about August 14, 2014, U.S. Border Patrol at or near San Ysidro, California arrested GAMEZ-JAIME and served him an I-860, Notice and Order of Expedited Removal. GAMEZ-JAIME was removed from the United States on August 15, 2014, through San Luis, Arizona.
4. On or about January 19, 2015, U.S. Border Patrol at or near San Ysidro, California arrested GAMEZ-JAIME and served him an I-871, Notice of Intent / Decision to Reinstate Prior Order. GAMEZ-JAIME was removed from the United States on January 19, 2015, through San Ysidro, California.
5. On or about February 05, 2015, U.S. Border Patrol at or near San Ysidro, California arrested GAMEZ-JAIME and served him an I-860, Notice and Order of Expedited Removal. GAMEZ-JAIME was removed from the United States on February 7, 2015, through San Ysidro.
6. On or about August 16, 2020, Oakland County Sheriff's Department, at or near Pontiac, Michigan, arrested GAMEZ-JAIME for the offense Assault Excluding Sexual.
7. On or about August 17, 2020, ICE ERO at or near Detroit, Michigan, arrested GAMEZ-JAIME at the Oakland Co. Jail and served him an I-871, Notice of Intent / Decision to Reinstate Prior Order.

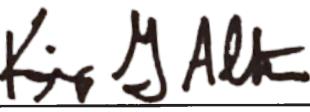
8. On or about October 20, 2020, the U.S. District Court, Eastern District of Michigan convicted GAMEZ-JAIME for the offense Unlawful Re-entry after Removal from the United States and sentenced him to “Time Served”.
9. On or about November 3, 2020, GAMEZ-JAIME was removed from the United States through Brownsville, Texas.
10. On or about August 21, 2024, Oakland County Sheriff’s Department at or near Pontiac, Michigan arrested GAMEZ-JAIME for a Failure to Appear warrant issued from the previous assault charge.
11. On or about September 22, 2024, ICE ERO at or near Detroit, Michigan, arrested GAMEZ-JAIME at the Oakland Co. Jail and served him an I-871, Notice of Intent / Decision to Reinstate Prior Order. Fingerprint checks confirmed a positive match for Leobardo GAMEZ-JAIME, DOB: XX/XX/1987, AXXX XXX 370, a previously removed alien.
12. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any non-citizen entering or attempting to enter the United States, or any non-citizen present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of noncitizens.
13. A review of immigration records (AXXX XXX 370) for GAMEZ-JAIME and queries in the U.S. Department of Homeland Security databases reveal that no record exists of GAMEZ-JAIME obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal from the United States on or about November 3, 2020.
15. Based on the above information, there is probable cause to believe that, on or about September 12, 2024, in the Eastern District of Michigan, Southern Division, GAMEZ-JAIME, an alien, who had previously been convicted of a felony offense and was subsequently excluded, deported, and removed therefrom on or about November 3, 2020, was found in the United States without having obtained the express consent of the Attorney General of the United States or the Secretary of

Homeland Security to re-apply for admission thereto; all in violation of Title 8, United States Code, Section 1326(a), (b)(1).



Justin Monday
Deportation Officer

Sworn to before me and signed in my presence and / or by reliable electronic means.



KIMBERLY ALTMAN
United States Magistrate Judge

Dated: September 20, 2024